

---

IN THE SENATE OF THE UNITED STATES.

---

JUNE 4, 1896.—Ordered to be printed.

---

Mr. WALTHALL, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany H. R. 5127.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 5127) for the relief of Abraham O. Waucop, have considered the same and recommend its passage.

A similar measure passed both Houses of Congress during the latter part of the last session, but reached the President in the closing hours of the session and was not approved.

The accompanying report of the Committee on Military Affairs of the House, submitted at the present session, is adopted.

---

[House Report No. 413, Fifty-fourth Congress, first session.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 5127) for the relief of Abraham O. Waucop, having had the same under consideration, would report thereon as follows:

A similar bill was considered by the Committee on Military Affairs, House of Representatives, third session, Fifty-third Congress, which committee recommended the passage of such bill.

The soldier's record, as set forth in such report, as found in Senate Report No. 1015, is stated to be as follows:

"It appears from the records of the War Department that the beneficiary, Abraham O. Waucop, was enrolled and mustered in Company F, Fifteenth Regiment Ohio Volunteers (first three months' service), on the 17th day of April, 1861, and was honorably discharged, by reason of the muster out of said company, on the 27th day of August, 1861.

"That on the 10th day of September, 1861, he reenlisted in Company F, Benton Cadets, Missouri Volunteers, and served as such soldier until the 8th day of January, 1862, when he was honorably discharged, by reason of the muster out of said company.

"That on the 22d day of August, 1862, he again reenlisted, and was mustered in and appointed first sergeant Company C, One hundred and eighteenth Ohio Volunteers, September 15, 1862. On March 1, 1863, he was promoted to second lieutenant, same company; on May 14, 1864, he was wounded at the battle of Resaca, Ga. On the 4th of March, 1865, he was promoted to captain and assigned to duty with Company F, same regiment.

"It is further noted in the report from the War Department that two days later (March 6) he absented himself from his command without authority, and thereafter his movements or whereabouts do not appear.

"That on the 28th day of March, 1865, his regimental commander reported that he had rendered himself unfit for duty and had been absent without leave since March 6, 1865, and recommended his dismissal from the service.

"That on the 17th day of April, 1865, the case was submitted to General Grant, who recommended that Captain Waucop be dishonorably dismissed from the service for absence without leave, whereupon he was summarily dismissed on the 24th of April, 1865, by Special Order, No. 183, War Department, Adjutant-General's Office.

"It appears from the verified statements of two of his comrades, Sergeant Ailes and Captain Rhodes, of the same regiment (two reputable gentlemen), and the petition of the survivors of the regiment that at and during the time he is reported as being absent without leave (and for which he was afterwards dismissed from the service) he was actually unable to march with the regiment, and so informed the surgeon at the time. That he voluntarily rejoined his regiment after his recovery in the latter part of April, 1865, at Raleigh, N. C.; where he was arrested and charges of absence without leave preferred against him. That at the time a copy of the charges was served on him he was given the alternative of resigning or standing a court-martial.

"That he refused to resign and demanded a trial and remained with the regiment for that purpose until the 15th day of May, 1865, when he was officially notified of his summary dismissal by special order, as above stated. That no opportunity was ever given him to be heard in answer to said charges, and that he labored under the impression that he would be accorded a trial before a court-martial until the day he received official notice of his dismissal from the service.

"His honorable discharge, as provided in this bill, is also prayed for by substantially all of the surviving officers and members of the One hundred and eighteenth Ohio Volunteer Infantry who served with him in the Army, about 100 in number."

In view of the facts, and especially in view of the fact that Mr. Waucop served his country faithfully and well for nearly four years, and placing special stress upon the manner in which he was summarily dismissed from the service without a hearing, and also that it appears that he never in fact deserted nor intended to desert, your committee feels that it would be but an act of simple justice to remove the stain of dishonor from his record by granting him an honorable discharge, and therefore adopts and approves the former report herein referred to, and recommends the passage of the bill.

○